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October 19, 2004Vicki L. Gilbert

Vicki L. Gilbert

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Appln No. 10/673,759
(Attorney's Docket No. GP-303323)

Filed: September 29, 2003
Confirmation No. 1482

Gary W. Krajenke

Group Art Unit 3612

LIFTING APPARATUS

Examiner: Kiran B. Patel

RESTRICTION UNDER 35 U.S.C. 121 and PRELIMINARY AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Action mailed September 28, 2004 requires Applicant to elect a single disclosed invention for prosecution of the merits. Applicant elects to prosecute claims 1-7 cited as invention I, drawn to a lifting apparatus. This election is made without traverse. The Action states that the distinction between invention I and invention II (claims 8-15) is that invention I does not require the particulars of an actuator of subcombination II. Applicant notes that dependent claims 4-7 each require an actuator.

Applicant amends the claims to include claims 20-23 which are a part of invention

I. No new matter is added.

Listing of the claims begins on page 2.

Remarks begin on page 6.